

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED  
*for Roanoke*  
JAN 24 2011  
JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

VINCE GILMER,  
Plaintiff,

Civil Action No.7:10-cv-00527

v.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

DR. ASHAN, et al.,  
Defendants.

ORDER

In accordance with the memorandum opinion entered this day, it is hereby

**ORDERED**

that the complaint is **DISMISSED without prejudice**; all remaining motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile the complaint as a new and separate action at the time he can pay the \$350 filing fee or file the necessary documents to proceed in forma pauperis.

The Clerk is directed to send a copy of this order to plaintiff.

ENTER: This 24<sup>th</sup> day of January, 2011.

*Jackson L. Kiser*  
Senior United States District Judge